

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
MAY 17, 1978

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m., Wednesday, May 17, 1978 in the City Hall Council Chambers.

ROLL CALL

Present: Councilmen - Hughes, Katnich,
Katzakian, McCarty
and Pinkerton(Mayor)

Absent: Councilmen - None

Also

Present: City Manager Graves, Assistant
City Manager Glenn, Public Works
Director Ronsko, Community
Development Director Schroeder,
Assistant City Attorney C. M.
Sullivan, and City Clerk Reimche.

INVOCATION

The invocation was given by Councilman Walter Katnich.

PLEDGE

Mayor Pinkerton led the Pledge of Allegiance to the flag.

MINUTES

On motion of Councilman Katnich, Katzakian second, the Minutes of April 19, 1978 were approved as written and mailed.

Mayor Pro Tempore Katzakian then moved for approval of the Minutes of May 3, 1978. The motion was seconded by Councilman Katnich and carried by unanimous vote.

PROCLAMATIONS

10 - 37

Mayor Pinkerton presented the following Proclamations:

1) "Medical Assistants' Week"

2) Proclamation urging the support of the purchase of Buddy Poppies

Minutes of May 17, 1978, continued

PUBLIC HEARINGS

RES. DETERMINING
A SCENIC HIGHWAY
ELEMENT IS NOT
REQUIRED AS PART
OF THE LODI
GENERAL PLAN

RES. NO. 78-49
12-53

Notice thereof having been published in accordance with law and affidavit of publication being on file in the office of the City Clerk, Mayor Pinkerton called for the Public Hearing to consider the City Planning Commission's determination and recommendation that the City of Lodi has no need for a Scenic Highway Element to its General Plan pursuant to the provisions of Section 65302(h) of the Government Code of the State of California.

Following introduction of the matter by City Manager Graves, Community Development Director Schroeder briefed the Council on the subject advising that the mandatory General Plan Elements, Section 65302(h) of the Government Code states:

"(h). A scenic highway element for the development; establishment and protection of scenic highways pursuant to the provisions of Article 2.5 (commencing with Section 260) of Chapter 2, Division 1 of the Streets and Highways Code."

The above referred Section of the Streets and Highways Code reads as follows:

"Legislative Intent. It is the intent of the legislature in designating certain portions of the State Highway system as state scenic highways to establish the status responsibility for the protection and enhancement of California's natural scenic beauty by identifying those portions of the state highway system which, together with the adjacent scenic corridors, require special scenic conservation treatment. It is further declared to be the intent of the legislature in designating such scenic highways to assign responsibility for the development of such scenic highways and for the establishment and applications of specific planning and design standards and procedures appropriate thereto and to indicate, in broad statement terms, the location and extent of routes and areas requiring continuing and careful coordination of planning, design, construction and regulation of land use and development, by state and local agencies as appropriate, to protect the social and economic values provided by the State's scenic resources."

Section 263.3, 263.4, 263.5, 263.6, 263.7 and 263.8 of the Streets and Highways Code list the State Routes which have been designated "Scenic State Highways". Neither State Route 12 nor 99 through Lodi appear in any of those sections.

Besides State Highway Routes, a local legislative body may designate local streets and highways as scenic routes if it so determines. At this time no such designation has been made by the Lodi City Council.

Since the City of Lodi has no scenic highways, the Planning Commission recommends that the City Council determine that a Scenic Highway Element is not required as part of the Lodi General Plan.

Minutes of May 17, 1978, continued

**SCENIC HIGHWAY
ELEMENT
RES. NO. 78-49
(Continued)**

There being no persons in the audience wishing to speak on the matter, the public portion of the hearing was closed.

Following discussion on the matter, with questions being directed to Staff, on motion of Councilman Katnich, Katzakian second, Council adopted Resolution No. 78-49 entitled "Resolution of the City Council of the City of Lodi Determining that a Scenic Highway Element is not Required as Part of the Lodi General Plan".

RECESS

Mayor Pinkerton declared a five-minute recess and the City Council reconvened at approximately 9:45 p.m.

**AMENDMENTS TO
THE C-P,
COMMERCIAL-
PROFESSIONAL
DISTRICT**

Notice thereof having been published in accordance with law and affidavit of publication being on file in the office of the City Clerk, Mayor Pinkerton called for the Public Hearing to consider the City Planning Commission's recommendation regarding amendments to the C-P, Commercial-Professional District.

Mayor Pro Tempore Katzakian stated that the corporation of which he is a shareholder and officer was the coordinators of the development of the subdivision that has created the controversy in C-P zoning, and that they did receive a fee for the sale of lots. Upon advise of the Assistant City Attorney, following his inquiry, Mayor Pro Tempore Katzakian asked to abstain from the discussion and voting on this matter because of a possible conflict of interest. Mayor Pro Tempore Katzakian then stepped down from his Council seat and left the Council Chambers.

Following introduction of the matter by the City Manager, Community Development Director Schroeder apprised the City Council that after taking public input the Planning Commission has recommended certain amendments to the C-P, Commercial-Professional District. The recommendations as listed below had been submitted to the City Council for study and review in the May 17, 1978 Council packet.

PROPOSED AMENDMENTS

Lodge or Private Club. Under present restrictions lodges and private clubs are permitted in areas zoned C-P after securing a Use Permit from the Planning Commission. The Planning Commission has recommended that those uses be completely deleted from the zone classification because they are inconsistent with the other uses in the district.

This change does not create any new non-conforming uses.

Institutions of an Educational or Philanthropic Nature. These uses are presently permitted in the zone and the Planning Commission has recommended that they become subject to the issuance of a Use Permit.

AMENDMENTS
TO C-P DISTRICT
(Continued)

Minutes of May 17, 1978, continued

This change is suggested because of the wide range of uses which could be described as "institutions of an educational or philanthropic nature".

Multiple-Family and Group Dwelling - Not Adjacent to Central Business District. The Planning Commission has recommended that in C-P areas outside the downtown areas, apartment density conform to the R-GA, Garden Apartment Residential District. Those requirements permit a maximum of 20 apartment units per acre.

Under the present staff interpretation apartments in those downtown areas should meet the requirements of the R-MD, Medium Density Multiple Family Residential District which permits 40 units per acre.

The change to the R-GA requirements would also require that 2/3 of the off-street parking spaces be covered.

There were no persons present in the audience wishing to speak in favor of the proposed amendments to the C-P, Commercial-Professional District.

Speaking in opposition to the proposed amendments to the C-P, Commercial-Professional District were:

a) Mr. Richard Jones, 2200 W. Cochran Road, Lodi

Mr. Jones presented a letter dated May 17, 1978 addressed to the City Council from a group of citizens in the Sunwest area which read as follows:

"As a concerned group of citizens of the City of Lodi, we would request the Lodi City Council to consider the following:

"1. That the City Council request the Planning Commission and staff to reconsider the three alternatives as proposed by the City Council. The three alternates were not considered by the Planning Commission, and only (proposed) a minor change was submitted back to the Council.

"These alternates are:

"A. Apartments no longer be permitted in C.P. areas.

"B. That apartments be permitted in accordance with R-GA requirements 20 units per acre.

"C. That C.P. zones throughout the city conform. I.E. R.H.D. 80 units per acre.

"2. We would like to remind the Council, that in the areas adjacent to, and affected by the proposed apartment complex, there is an investment of over \$5,000,000, plus a voting population of approximately 250 people.

**AMENDMENTS
TO C-P DISTRICT
(Continued)**

20-5200

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"3. The owners of this aforementioned property, by and large, were led to believe that commercial professional zoning means exactly what it states, that is, offices, and not medium or high density residential, or at the very least 10 units net per acre. We base our information on the following:

"A. Environmental impact report of December 16, 1974, page 2, paragraph 4, and the City of Lodi General Plan map, which states that low density is to be 0 to 10 units per acre.

"B. Residential and growth statistics of August 1976 as prepared by the Community Development Department, which states that in areas 27 and 28, which are bounded by Lodi Avenue, Lower Sacramento Road, Kettleman Lane, and Mills Avenue, that no apartments will be built before the year 2000, reference page 3 of report.

"We recommend that the Lodi City Council consider the following possibilities.

"1. Complete separation of commercial professional and residential not to include inner-city.

"2. Adherence to the E.I.R. submitted for the area which states a maximum of 10 units to the acre.

"We further state that, until this matter is resolved, an extension of the existing moratorium on C.P. zone is a must.

"Respectfully concerned citizens, Sun West Area
/s/ Richard Jones".

Mr. Jones further stated that they met with each of the Councilmen present and feel that it is apparent that there is much confusion concerning the original ordinance and the redrafted proposed ordinance before the City Council.

Also speaking in opposition to the proposed amendments to the C-P, Commercial-Professional District was:

Mr. Dave Mende, 834 Wightman Drive, Lodi, California.

Mr. Mende stated that in talking with many families in the area over the last few months, in their attempt to seek out an area in which to live within the City of Lodi, they used the Residential Growth Statistics, City of Lodi prepared in August 1976 by the Community Development Department as one of the materials on which they based their decision. Mr. Mende then presented exhibits from that document for Council's perusal.

Mr. Mende stated that they had assumed that C-P was Commercial-Professional and not residential. Mr. Mende stated that according to the City ordinance that assumption was wrong and that is why they are

**AMENDMENTS
TO C-P DISTRICT
(Continued)**

Minutes of May 17, 1978, continued

proposing to separate Commercial-Professional and residential areas.

Mr. Mende then presented the legend as it appears on the City of Lodi Zoning Map - December 1977 stating that under Residential Zones it lists R-1, R-2, R-LD, R-GA, R-MD, R-HD and P-D with no mention of C-P; however, in the next column under Commercial Zones it lists C-P and Mr. Mende further stated that the definition indicates professional offices with no mention of any residential areas.

Mr. Mende then presented an exhibit depicting C-P zones throughout the City and related the type of development in each of the zones. Mr. Mende then stated that their proposal of separating C-P and residential would really only affect their particular area.

Mr. Mende further related that the objectives as listed on the General Plan Map are 1) obtain harmonious development within the framework of a surrounding agricultural district 2) to assure the balanced development of a City's land areas for living, working, shopping, recreation and civic uses. 3) To guide the cohesive development of neighborhoods, provide with the necessary public and cultural facilities and protect from the intrusion of major traffic ways and other incompatible land uses which would infringe upon the comfort, safety and dignity of a residential area. Mr. Mende stated that he hoped "we" would think about this.

A very lengthy Council discussion followed with questions being directed to Staff, to the Assistant City Attorney and to those citizens in the audience giving public input on the matter.

Following an inquiry the charge given to the Planning Commission regarding the provisions of C-P zoning was reviewed. (The Minutes reflect that at an adjourned regular meeting held December 14, 1977, Council adopted Resolution No. 4442 referring the provisions of C-P zoning to the Planning Commission for examination and clarification and to bring its findings and recommendations back to the Council at the earliest possible date).

Following additional discussion, Mayor Pinkerton, with Council's tacit concurrence named the following Committee to be chaired by Councilman Katnich to review and recommend density and land usage in C-P zoning:

Chairman - Councilman Walter Katnich
Councilman James McCarty
-Mr. Richard Jones
Mr. Dave Mende

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**AMENDMENTS
TO C-P DISTRICT
(Continued)**

CC - 5300

Mayor Pinkerton asked that the Committee report its findings to the City Council at the June 7, 1978 Council meeting.

Mayor Pro Tempore Kazakian returned to his seat at the Council table.

PLANNING COMMISSION

CC - 35

City Manager Graves gave the following report of the Planning Commission meeting of May 8, 1978:

**ITEMS OF
INTEREST**

CC - 35

The Planning Commission -

Approved Variances reducing the required lot width and accessway width to permit Mrs. Imelda Burke to create a second flag lot to the rear of 340 South Lower Sacramento Road in an area zoned R-1, Single-Family Residential.

COMMUNICATIONS

CC - 75

City Clerk Reimche presented the following correspondence regarding applications before the Public Utilities Commission:

PUC APPLICATIONS

CC - 75

a) Application No. 57966 of Greyhound Lines, Inc. for order authorizing a statewide increase in intra-state passenger fares and express rates and Greyhound Lines, Inc., Orange Belt Stages, a corporation, Peerless Stages, Inc., Vaca Valley Buslines, Inc., Desert Stage Lines, and Redwood Empire Lines, Inc. for an order authorizing a statewide increase in interline express rates.

b) Application No. 58033 of P.G.&E. which has requested authorization to reduce electric rates and charges related to energy costs. The proposed adjustment rates will reduce P.G.&E. electric revenues about 7.4% or \$178.9 million on an annualized basis.

**SUGGESTED
USES FOR
CARNEGIE
LIBRARY**

CC - 29

The City Clerk presented a letter which had been received from the Woman's Club of Lodi suggesting various uses of the present Carnegie Library after it has been vacated, upon completion of the new library building.

ABC LICENSE

CC - 75

City Clerk Reimche presented an Application for Alcoholic Beverage License which had been received for Julia P. Mariscal for the Flamingo Club, 122 N. Sacramento Street, Lodi, On Sale Beer, Person to Person transfer.

**MAYOR APPLAUDS
ASSEMBLYMAN
BANNAI ON
AB 2347**

CC - 55

Mayor Pinkerton stated that he would be sending a Rose to Assemblyman Paul Bannai signifying appreciation for the Senator's efforts in introducing Assembly Bill No. 2347 requiring that provisions of the Workers' Compensation law be fairly and equitably construed by the courts with the purpose of extending

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ASSEMBLYMAN their benefits for the protection of persons injured
BANNAI ON in the course of their employment.
AB 2347 (Cont'd.)

REPORTS OF THE CITY MANAGER

CONSENT In accordance with report and recommendation of
CALENDAR the City Manager, the following actions hereby set
forth between asterisks, on motion of Councilman
Hughes, Katzakian second, were approved by the
Council.

CLAIMS CLAIMS WERE APPROVED IN THE AMOUNT OF
\$643,322.04.

RES. AUTHORIZ- Following recommendation of the City Manager,
ING PURCHASE Council adopted the following resolution:
OF FLARES &
AMMUNITION
FROM STATE
DEPT. OF
PROCUREMENT
RES. NO. 78-50
RESOLUTION NO. 78-50
RESOLUTION AUTHORIZING THE PURCHASE OF
AMMUNITION AND FLARES FOR THE POLICE
DEPARTMENT FROM THE STATE OF
CALIFORNIA, DEPARTMENT OF PROCUREMENT.

RES. FORWARDING Following presentation by the City Manager of a
DELINQUENT copy of the delinquent assessments for the street
ASSESSMENTS ON light construction in the Virginia Avenue Street
VIRGINIA AVENUE Light District, Council adopted the following
ST. LIGHT DISTRICT resolution:
TO COUNTY

RES. NO. 78-51
RESOLUTION NO. 78-51
RESOLUTION PROVIDING FOR THE COLLECTION
OF THE DELINQUENT ASSESSMENT FOR THE
STREET LIGHT CONSTRUCTION IN THE VIRGINIA
AVENUE STREET LIGHT DISTRICT BY THE
COUNTY TAX COLLECTOR.

ACCEPT WELL 7 COUNCIL ACCEPTED THE IMPROVEMENTS IN
REDRILL "WELL 7 REDRILL, 2101 W. TURNER ROAD" AND
DIRECTED THE PUBLIC WORKS DIRECTOR TO FILE
A NOTICE OF COMPLETION WITH THE COUNTY
RECORDER'S OFFICE.

AWARD-CONTRACT City Manager Graves presented the bids which had
FOR CHURCH ST. been received for the "Church Street Storm Drain,
STORM DRAIN Forrest Avenue to Turner Road" as follows:

BIDDER	AMOUNT
Parrish, Inc.	\$53,366.40
R. D. Engineering	\$66,780.50
Valley Mechanical, Inc.	\$92,457.39
Claude C. Wood Co.	\$92,926.00

The City Manager recommended that the award be
made to Parrish, Inc., the low bidder.

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**AWARD-CHURCH
ST. STORM DRAIN
RES. 78-52(Cont'd)**

cc - 10(1)

Councilman McCarty stated that he feels that the City should curtail capital outlay expenditures at this time unless Staff indicates that they are of an urgency nature. Council discussion regarding Councilman McCarty's statement followed.

Public Works Director Ronsko stated that the funds for this particular project were "Master Drainage Funds" and that the funds could only be expended for projects of this type.

Following additional discussion, with questions being directed to Staff, Council, on motion of Mayor Pro Tempore Katzakian, Hughes second, adopted Resolution No. 78-52 awarding the contract for "Church Street Storm Drain, Forrest Avenue to Turner Road" to Parrish, Inc., the low bidder, in the amount of \$53,366.40.

**AGENDA ITEM
"c" CONTINUED**

As suggested by Councilman McCarty, Council then continued Agenda Item "c" - "Award - Old Sewer Farm Demolition" to the regular Council meeting of June 7, 1978 and thereby also allowing additional time for Informal Informational Meeting discussion.

**POPLAR ST.
ST. LIGHT
DISTRICT BID
EXCEEDS
ESTIMATE BY
MORE THAN 15%**

cc - 10

Council was apprised that only one bid from Smith Electric, Stanton, California had been received for the Poplar Street Street Lighting District. The bid was in the amount of \$5,946, which exceeded the engineer's estimate by more than 15%.

Section 5244.1 of the State Streets and Highways Code specifies that when the total of the contract and incidental costs exceed the engineer's estimate by more than 15 percent, the legislative body shall direct the Clerk to give notice by mail of such increase over the estimated cost.

On motion of Councilman Katnich, Katzakian second, Council directed the City Clerk to give notification to the property owners in the Poplar Street Street Light District that the only bid received on the Poplar Street contract exceeded the engineer's estimate by more than 15% and that the matter had been continued to the regular City Council meeting of June 7, 1978.

**PLANS & SPECS
FOR ENGLISH OAKS
COMMON BLOCK
WALL APPROVED**

cc - 10(1)

Following introduction by City Manager Giaves and Council discussion, Council, on motion of Mayor Pro Tempore Katzakian, Katnich second, approved the plans and specifications for "English Oaks Common Block Wall" and authorized the City Clerk to advertise for bids thereon.

**AGREEMENT WITH
BOOK PUBLISHING
COMPANY, CODE
CODIFIERS
APPROVED**

cc - 10

Council was apprised by the City Manager that the Mitchie Company with whom the City has had an agreement since 1958 for the codification of all City Ordinances had advised the City that because of persistent and heavy demand for their law publishing services in recent years which has created an imbalance in their ability to produce to the exacting schedules the City Code customers expect and deserve, they will be unable to produce additional supplements for the Lodi City Code.

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**AGREEMENT WITH
CODE CODIFIERS
(Continued)**

Contact has been made with Book Publishing Company of Seattle, Washington, a leading ordinance codifier, requesting a contract proposal to supply future supplemental service for the Lodi City Code.

In checking with other cities, it has been found that Book Publishing Company has an outstanding reputation; their per supplemental page charge is competitive with other codifiers, and their turnaround time is the best in the business.

Following discussion, with questions being directed to Staff, Council, on motion of Councilman Hughes, Katzakian second, approved Agreement with Book Publishing Company for Supplement Service for the Lodi Municipal Code and authorized the Mayor and City Clerk to execute the Agreement on behalf of the City.

**ACCEPTANCE OF
AGREEMENT
BETWEEN INEZ
HUPPERT AND
CITY OF LODI**

CC - 67a)

City Manager Graves apprised the Council that Inez Huppert is in the process of expanding an existing public storage area at the corner of Stockton and Tokay Street. In conformance with City Policy, the City has asked for dedication for future street widening. Ms. Huppert has agreed to dedication subject to the City of Lodi replacing existing curb and gutter and installing new sidewalk at the time the remainder of Stockton Street is widened. No money is being paid for the 10 foot wide parcel.

Council discussion followed with questions being directed to Staff. On motion of Councilman McCarty, Katzakian second, Council approved the proposed Agreement between the City of Lodi and Inez Huppert and authorized the City Manager to execute the Agreement on behalf of the City.

**RESTRICTION OF
VEHICULAR
TRAFFIC ON W.
WALNUT BETWEEN
ROSE & CALIFORNIA
ELIMINATED**

RES. NO. 78-53

CC - 48(a)

City Manager Graves informed the Council that West Walnut Street between Rose Street and California Street has been closed during school hours since 1960 when the City Council determined the closure was necessary for the safety of students attending the High School.

Council was further apprised that only portions of the old campus are presently being used for classes and there no longer appears to be a justifiable need for restricting traffic on the street; however, Mr. Cecil Harp, principal of the Continuation School has informed the City that next year the shop building at the northeast corner of Rose Street and Walnut Street will be used as a gymnasium by his students and that he would prefer the existing restrictions remain on the street.

Council discussion followed with questions regarding the subject being directed to Staff.

On motion of Councilman Hughes, Katzakian second, Council adopted Resolution No. 78-53 eliminating the restriction of vehicular traffic on West Walnut Street between Rose Street and California Street as set forth in Resolution No. 2386.

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ESTABLISHMENT
OF TRAFFIC
CONTROLS
THROUGHOUT CITY

RES. NO. 78-54

CC-48(a)

In their report entitled "Identification and Surveillance Study of Accident Locations for the City of Lodi", George S. Nore and Associates made recommendations for the installation of traffic controls at 11 uncontrolled intersections within the City.

Following discussion, Council, on motion of Councilman McCarty, Katnich second, adopted Resolution No. 78-54 establishing "Yield" signs on the following streets:

Sunset Drive at Oak Street	Garfield Street at Oak Street
Fairmont Avenue at Oak Street	Washington Street at Walnut Street
Orange Avenue at Oak Street	Garfield Street at Walnut Street
Avena Avenue at Oak Street	Fairmont Avenue at Locust Street
Rose Street at Oak Street	Orange Avenue at Locust Street
Sunset Drive at Walnut Street	Locust Street at Crescent Avenue
Fairmont Avenue at Walnut St.	Pleasant Avenue at Locust Street
Orange Avenue at Walnut Street	Pleasant Avenue at Oak Street
Avena Avenue at Walnut Street	Pleasant Avenue at Walnut Street
Rose Street at Walnut Street	Lee Avenue at Oak Street
Washington Street at Locust St.	Lee Avenue at Walnut Street
Central Avenue at Locust Street	Main Street at Oak Street
Garfield Street at Locust Street	Main Street at Walnut Street
Washington Street at Oak Street	

Establishing stop signs on the following streets:

Windsor Drive at Crescent Ave.	York Street at Crescent
Park Street at Crescent Avenue	Cardinal Street at Crescent Avenue

and established the intersection of Stockton Street and Tckay Street as a 4-way stop.

EXECUTIVE
SESSION

At approximately 10:55 p.m., the Council recessed to Executive Session to discuss a matter concerning possible litigation. City Clerk Reimche requested that she be excused from the Executive Session and the request was granted by Mayor Pinkerton.

The City Council reconvened at 11:15 p.m.

DISCUSSION ON
MORATORIUM ON
FINAL MAPS,
TENTATIVE MAPS,
& REZONINGS.

CC-53(a)

Assistant City Attorney Sullivan reported to the audience and to the press that the Agenda item that next appears on the Agenda has to do with possible lifting of a moratorium that could conceivably lead to liability for the City and possible plaintiffs that might bring action against the City if that action were taken by the City Council, and during the Executive Session, Mr. Sullivan stated that he had explained to the City Council the various alternatives in regard to that type of litigation and the City Council's and the City of Lodi's exposure in regard thereto.

ADOPTION BY
REFERENCE OF
COG HOUSING
ELEMENT PRO-
CEEDINGS
INITIATED

Councilman Hughes then moved to initiate proceedings to adopt by reference the County Council of Governments Housing Element and to direct Staff to move expeditiously in the processing of this matter as specified by State law. The motion was seconded by Councilman Katnich and carried by the following vote:

COG HOUSING
ELEMENT
(Continued)

MORATORIUM
ON FINAL MAPS,
TENTATIVE
MAPS, & RE-
ZONINGS
ADDITIONAL
DISCUSSION

88 - 536

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Ayes: Councilmen - Hughes, Katnich,
Katzakian, and McCarty

Noes: Councilmen - Pinkerton

Absent: Councilmen - None

Councilman Hughes then moved to defer lifting the moratorium on the approval of all tentative maps, final maps, and rezonings until such time as the C.O.G. Housing Element is on file. The motion was seconded by Councilman Katnich.

(The City Council in action taken on February 15, 1978 placed a moratorium on the approval of all tentative maps, final maps, and rezonings until such time as the City's request for a time extension on the completion of the City's Housing, Safety, Seismic Safety, and Noise Elements of the General Plan has been accepted by the Director of the State Office of Planning and Research.)

Upon advice of Assistant City Attorney Sullivan, Mayor Pro Tempore Katzakian asked to abstain in voting on this matter.

Following discussion, the question was called for and failed to pass by the following vote:

Ayes: Councilmen - Katnich and Hughes

Noes: Councilmen - McCarty and Pinkerton

Absent: Councilmen - None

Abstain: Councilmen - Katzakian

OFF-SITE
IMPROVEMENTS
ORDINANCE
ADOPTED

ORD. NO. 1142
ADOPTED

88-46

Ordinance No. 1142 entitled "Ordinance providing for installation of Public Improvements and Dedication of Rights-of-way and Easements in conjunction with Building Construction or other Development and Repealing Section 5-13 through 5-21 of the Code of the City of Lodi" having been introduced at a regular meeting held April 5, 1978 was brought up for passage on motion of Councilman Katnich, Hughes second, with minor amendments including increasing the dollar amount in Section 5-22 entitled "Exceptions and Deferrals", subsection a, to \$10,000.00. Second reading was omitted after reading by title, and the Ordinance was then passed, adopted and ordered to print by the following vote:

Ayes: Councilmen - Hughes, Katnich, Katzakian,
McCarty and Pinkerton

Noes: Councilmen - None

Absent: Councilmen - None

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APPOINTMENTS
TO BOARDS AND
COMMISSIONS

88-52

Mayor Pinkerton apprised the Council that the terms of C. M. Sullivan, Trustee, Library Board of Trustees, and Margaret Talt, Planning Commissioner are due to expire June 30, 1978. Following an inquiry by Mayor Pinkerton as to whether these appointments could be made in June, City Clerk Reimche responded that the posting requirements in Government Code Section 54970 et seq. had been met and further stated that the appointments must be made at a public meeting which statement was confirmed by Assistant City Attorney Sullivan. Staff was requested to research the codes for any other requirements concerning this type of appointment.

EDA APPOINTMENT

88-76

On motion of Mayor Pinkerton, Katlich second, Mr. Elmer Altnow was reappointed as a Director to the Board of the San Joaquin County Economic Development Association, representing the City of Lodi for a four-year term commencing June 30, 1978.

ADJOURNMENT

There being no further business to come before the Council, Mayor Pinkerton adjourned the meeting at approximately 11:55 p.m.

Attest:

Alice M. Reimche
ALICE M. REIMCHE
CITY CLERK